

Amendment No. 2 to SB3632

**Norris
Signature of Sponsor**

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 3632*

House Bill No. 3859

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 66-28-505(b), is amended by deleting the subsection in its entirety and substituting instead the following:

(b)

(1) If rent is unpaid when due and the tenant fails to pay, written notice by the landlord of nonpayment is required unless otherwise specifically waived in a written rental agreement. Specific waiver of notice of termination of tenancy for nonpayment of rent in a written rental agreement shall constitute a waiver of both written notice of non-payment of rent by the landlord and written notice of termination of tenancy by the landlord under § 66-28-512(a) and (b). The rental agreement is then enforceable by an action for possession and collection of rent for the remaining term of the rental agreement.

(2) Specific waiver of notice in a written rental agreement is valid only if the waiver is in at least ten-point bold face type, in close proximity to the signature line, and substantially similar to the following:

**TENANT AGREES TO WAIVE ANY NOTICE OF TERMINATION
OF THE TENANCY FOR NONPAYMENT OF RENT. UPON
AGREEING TO SUCH WAIVER, IF THE TENANT FAILS TO
PAY RENT, THE LANDLORD HAS THE RIGHT TO BRING AN
ACTION FOR POSSESSION AND COLLECTION OF RENT FOR
THE REMAINING TERM OF THE RENTAL AGREEMENT.**

SECTION 2. This act shall take effect July 1, 2008, the public welfare requiring it, and shall apply to written rental agreements entered into or renewed on or after the effective date of this act.